

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CARLOS GONZALEZ, :
Plaintiff, :
: :
v. : CIVIL ACTION NO. 20-CV-4831
: :
JUDGE DOUGLAS G. REICHLEY, *et al.*:
Defendants. :

ORDER

AND NOW, this 9th day of November, 2020, upon consideration of Plaintiff Carlos Gonzalez's Motions to Proceed *In Forma Pauperis* and letter in support thereof (ECF Nos. 1, 6 & 7), and his *pro se* Complaint (ECF No. 2), it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED**.
2. Carlos Gonzalez, #118247, shall pay the full filing fee of \$350 in installments, pursuant to 28 U.S.C. § 1915(b), regardless of the outcome of this case. The Court directs the Warden of Lehigh County Prison or other appropriate official to assess an initial filing fee of 20% of the greater of (a) the average monthly deposits to Gonzalez's inmate account; or (b) the average monthly balance in Gonzalez's inmate account for the six-month period immediately preceding the filing of this case. The Warden or other appropriate official shall calculate, collect, and forward the initial payment assessed pursuant to this Order to the Court with a reference to the docket number for this case. In each succeeding month when the amount in Gonzalez's inmate trust fund account exceeds \$10.00, the Warden or other appropriate official shall forward payments to the Clerk of Court equaling 20% of the preceding month's income

credited to Gonzalez's inmate account until the fees are paid. Each payment shall refer to the docket number for this case.

3. The Clerk of Court is directed to **SEND** a copy of this Order to the Warden of Lehigh County Prison.

4. The Complaint is **DEEMED** filed.

5. Gonzalez's Complaint is **DISMISSED** pursuant to 28 U.S.C. §1915(e)(2)(B)(ii) for the reasons discussed in the Court's Memorandum. His claims for damages are **DISMISSED WITH PREJUDICE** and his claims for injunctive relief are **DISMISSED WITHOUT PREJUDICE**. Gonzalez is not granted leave to file an amended complaint in this matter.

6. The Clerk of Court shall **CLOSE** this case.

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.